

Federal Communications Commission

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Trilew LLC, dba L1 Networks)	
)	File No. EB-FIELDWR-16-00022753
Licensee of Radio Station WQYH230)	
Honolulu, Hawaii)	NOV No. V201732860001
)	
)	

NOTICE OF VIOLATION

Released: November 14, 2016

By the Resident Agent, Honolulu Office, Region Three, Enforcement Bureau:

1. This is a Notice of Violation (Notice) issued pursuant to Section 1.89 of the Commission’s Rules,¹ to Trilew LLC, dba L1 Networks (L1 Networks), licensee of radio station WQYH230 in Honolulu, Hawaii. Pursuant to Section 1.89(a) of the Rules, issuance of this Notice does not preclude the Enforcement Bureau from further action if warranted, including issuing a Notice of Apparent Liability for Forfeiture for the violation(s) noted herein.²

2. On October 11, 2016, in response to a complaint of interference, an agent of the Enforcement Bureau’s Honolulu Office located radio station WQYH230 located on the rooftop of the Century Square building at 1188 Bishop St., Honolulu, HI, and observed the following violation:

47 C.F.R. § 101.1507: “Permissible operations. Licensees may use the 70 GHz, 80 GHz and 90 GHz bands for any point-to-point, non-broadcast service. The segments may be unpaired or paired, but pairing will be permitted only in a standardized manner (*e.g.*, 71-72.25 GHz may be paired only with 81-82.25 GHz, and so on). . . .” The WQYH230 station license authorizes L1 Networks to operate nationwide on the Millimeter Wave 70/80/90 GHz Service on the frequency bands of 71000-76000, 81000-86000, 92000-94000 and 94100-95000 MHz. Investigation on October 11, 2016, determined that L1 Networks was operating a continuous digital data channel on 3650 MHz. Transmissions on 3650 MHz are not permissible operations within the scope of its authorization.

¹ 47 C.F.R. § 1.89.

² 47 C.F.R. § 1.89(a).

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3. Pursuant to Section 308(b) of the Communications Act of 1934, as amended,³ and Section 1.89 of the Rules, we seek additional information concerning the violations and any remedial actions taken. Therefore, L1 Networks must submit a written statement concerning this matter within twenty (20) days of release of this Notice. The response (i) must fully explain each violation, including all relevant surrounding facts and circumstances, (ii) must contain a statement of the specific action(s) taken to correct each violation and preclude recurrence, and (iii) must include a time line for completion of any pending corrective action(s). The response must be complete in itself and must not be abbreviated by reference to other communications or answers to other notices.⁴

4. In accordance with Section 1.16 of the Rules, we direct L1 Networks to support their response to this Notice with an affidavit or declaration under penalty of perjury, signed and dated by L1 Networks, verifying the truth and accuracy of the information therein,⁵ and confirming that all of the information requested by this Notice which is in the licensee's possession, custody, control, or knowledge has been produced. To knowingly and willfully make any false statement or conceal any material fact in reply to this Notice is punishable by fine or imprisonment under Title 18 of the U.S. Code.⁶

5. All replies and documentation sent in response to this Notice should be marked with the File No. and NOV No. specified above, and mailed to the following address:

Federal Communications Commission
Honolulu Office
POB 971030
Waipahu, Hawaii 96797-1030

6. This Notice shall be sent to L1 Networks at its address of record.

³ 47 U.S.C. § 308(b).

⁴ 47 C.F.R. § 1.89(c).

⁵ Section 1.16 of the Rules provides that “[a]ny document to be filed with the Federal Communications Commission and which is required by any law, rule or other regulation of the United States to be supported, evidenced, established or proved by a written sworn declaration, verification, certificate, statement, oath or affidavit by the person making the same, may be supported, evidenced, established or proved by the unsworn declaration, certification, verification, or statement in writing of such person Such declaration shall be subscribed by the declarant as true under penalty of perjury, and dated, in substantially the following form . . . : ‘I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct. Executed on (date). (Signature)’.” 47 C.F.R. § 1.16.

⁶ 18 U.S.C. § 1001 *et seq.* See also 47 C.F.R. § 1.17.

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7. The Privacy Act of 1974⁷ requires that we advise you that the Commission will use all relevant material information before it, including any information disclosed in your reply, to determine what, if any, enforcement action is required to ensure compliance.

FEDERAL COMMUNICATIONS COMMISSION

Ryan Hagihara
Resident Agent
Honolulu Office
Enforcement Bureau, Region Three

⁷ P.L. 93-579, 5 U.S.C. § 552a(e)(3).